

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HIGROUND CO., LTD. and
HIGROUND PTE. LTD.,

Plaintiffs,

Case No.: 1:23-cv-08618-JSR

-against-

**AFFIDAVIT FOR
JUDGMENT BY DEFAULT**

HENRY HAN-WOONG LEE,
GENESIS DIGITAL ASSETS PTE. LTD.,
GENESIS GROUP PARTNERS, LLC,
NEON PARTNERS, LLC,
NEON PARTNERS LLC, and
GENESIS-NEON GROUP, LLC,

Defendants.

Bong June Kim, Esq, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am associated with the firm of Kim & Bae, P.C., attorneys for Plaintiffs in the above-entitled action and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 55.2 of the Civil Rules for the Southern District of New York, in support of Plaintiffs' application for the entry of a default judgment against defendant.

3. This is an action to recover moneys owed by Defendant to Plaintiff for failure to repay a loan and related misconduct, in violation of federal and state law.

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 because Plaintiff seeks a judgment for Defendants' violation of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and SEC Rule 10b-5, 17 C.F.R. § 240.10b-5, Section 20(a) of the Securities Exchange Act of 1934, 15 U.S.C. § 78t(a) thereunder.

5. This action was commenced on October 2, 2023 by the filing of a summons and complaint.

6. On October 19, 2023, Plaintiffs properly served copies of the summons and complaint on Defendants Neon Partners, LLC and Genesis Group Partners, LLC via the New York Secretary of State and via certified return receipt mailing, pursuant to Fed. R. Civ. Pro. 4(h)(1). Proof of service was filed on November 2, 2023 [ECF 25–26].

7. On December 15, 2023, an amended complaint was filed, in which Neon Partners LLC and Genesis-Neon Group, LLC were added as defendants. Copies of the amended summons and complaint are annexed hereto as Exhibit A.

8. On December 29, 2023, Plaintiffs properly served copies of the amended summons and complaint on Defendants Genesis Group Partners, LLC, Neon Partners, LLC, Neon Partners LLC, and Genesis-Neon Group, LLC, through the New York Secretary of State and via certified mailing, pursuant to Fed. R. Civ. Pro. 4(h)(1). Proofs of service of the amended summons and complaint were filed on January 3, 2024 [ECF 43–46], and copies are annexed hereto as Exhibits B–E.

7. Pursuant to Fed. R. Civ. Pro. 15(a)(3), responsive pleadings by Neon Partners, LLC and Genesis Group Partners, LLC were due on or before January 13, 2024.

8. Pursuant to Fed. R. Civ. Pro. 12(a), responsive pleadings by Neon Partners LLC and Genesis-Neon Group, LLC were due on or before January 19, 2024.

9. Defendants Genesis Group Partners, LLC, Neon Partners, LLC, Neon Partners LLC, and Genesis-Neon Group, LLC have failed to appear or to otherwise defend this action.

10. This action seeks judgment for the liquidated amount of \$4,750,000.00, plus interest at 10% from May 24, 2022 for a total as of February 9, 2024 of \$5,565,917.53, including

costs, as shown by the annexed Statement, which is justly due and owing, and no part of which has been paid except as therein set forth.

7. The disbursements sought to be taxed have been made in this action or will necessarily be made herein.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: New York, New York
February 9, 2024

/s/Bong June Kim
Bong June Kim, Esq.